

FORM PTO-1390 MODIFIED	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER <b>4662-84</b>
<b>TRANSMITTAL LETTER TO THE UNITED STATES  DESIGNATED/ELECTED OFFICE (DO/EO/US)  CONCERNING A FILING UNDER 35 U.S.C. 371</b>		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.8)  <b>10/554,293</b>
INTERNATIONAL APPLICATION NO. <b>PCT/NL2004/000300</b>	INTERNATIONAL FILING DATE <b>3 May 2004</b>	PRIORITY DATE CLAIMED <b>1 May 2003</b>
<b>TITLE OF INVENTION</b> <b>PROCESS FOR THE PRODUCTION OF BIOLOGICAL SUBSTANCES BY PERFUSION CULTURING OF SUSPENDED ANIMAL CELLS</b>		
<b>APPLICANT(S) FOR DO/EO/US</b> <b>POL, VAN DER et al</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The U.S. has been elected (Article 31). 5. A copy of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> <b>WO 2004/097006 is attached hereto (        pages specification, claims &amp; abstract (        claims),        sheets drawings).</b> b. <input type="checkbox"/> <b>has been communicated by the International Bureau.</b> c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> is attached hereto (        pages specification, claims & abstract (        claims),        sheets drawings,        page Certificate of Translation). b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has <b>NOT</b> expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. a. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). b. <input type="checkbox"/> Declaration was submitted to the International Bureau during International Phase (see copies of Declaration (        page Form PCT/RO/101 and Form PCT/IB/371 and first page of printed publication acknowledging receipt thereof attached). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). <b>Items 11 To 20 below concern document(s) or information included:</b> 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included. 13. a. <input type="checkbox"/> A FIRST preliminary amendment. b. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 C.F.R. § 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A change of power of attorney and/or address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825. 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input type="checkbox"/> Other items or information.		

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) <b>10/554,293</b>		INTERNATIONAL APPLICATION NO. <b>PCT/NL2004/000300</b>		ATTORNEY'S DOCKET NUMBER <b>4662-84</b>	
<input type="checkbox"/> The following fees are submitted:					
<b>BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5):</b>					
21. <input type="checkbox"/>	Basic national fee .....			\$300.00 (1631)/\$150.00 (2631)	\$
22. <input type="checkbox"/>	Examination Fee..... (1643/2643)			\$0	\$
				\$200.00 (1633)/\$100.00 (2633)	
23. <input type="checkbox"/>	Search Fee .....			\$0 (1640/2640)	
				\$100 (1641)/\$50 (2641)	
				\$400 (1642)/\$200 (2642)	
				\$500.00 (1632)/\$250.00 (2632)	\$
<b>TOTAL OF ABOVE CALCULATIONS</b>					\$ 0.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets		Extra Sheets		Number of each additional 50 or fraction thereof (round up to a whole number)	
0 -100		0 /50 =		0.00	
				RATE	
				\$0.00 (1681)	
				\$0.00 (2681)	
Surcharge of \$130.00 (1617)/\$65.00 (2617) for furnishing the oath or declaration later than <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)).					
CLAIMS		NUMBER FILED		# EXTRA	
Total Claims		10 minus 20 =		0 X	
				\$50.00 (1615)/	
				\$25.00 (2615)	
Independent Claims		1 minus 3 =		0 X	
				\$200.00 (1614)	
				\$100.00 (2614)	
MULTIPLE DEPENDENT CLAIMS(S) (if applicable)				\$360.00 (1616)/\$180.00 (2616)	
					\$ 0.00
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s): One Month Extension \$120.00 (1251)/\$60.00 (2251); Two Month Extensions \$450.00 (1252)/\$225.00 (2252); Three Month Extensions \$1020.00 (1253)/\$510.00 (2253); Four Month Extensions \$1590.00 (1254)/\$795.00 (2254)					
					\$ 0.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.					
Processing fee of \$130.00 (1618), for furnishing the English Translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f)).					
					0.00
<b>TOTAL NATIONAL FEE =</b>					\$ 0.00
Fee for recording the enclosed assignment (37 C.F.R. 1.21(h). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 (8021) per property					
					\$ 0.00
Fee for Petition to Revive Unintentionally Abandoned Application; \$1500.00 (1453) / \$750.00 (2453)					
					\$ 0.00
<b>TOTAL FEES ENCLOSED =</b>					\$ 0.00
					Amount to be refunded:
					\$
					Amount to be Charged:
					\$

- a. ☐ A check in the amount of \$0.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. 14-1140 in the amount of \$\_\_\_\_\_ to cover the above fees.  
A duplicate copy of this form is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1140. A duplicate copy of this form is enclosed.
- d. ☐ **CREDIT CARD PAYMENT FORM ATTACHED.**
- e. ☐ The entire content of International Application No. **PCT/NL2004/000300** and any U.S. and foreign application(s) corresponding thereto, and \_\_\_\_\_, referred to in this application is/are hereby incorporated by reference in this application.

**NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b) must be filed and granted to restore the application to pending status.**

**CORRESPONDENCE ADDRESS**

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**Bryan H. Davidson**

NAME

**30,251**

REGISTRATION NUMBER

**January 12, 2006**

Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

POL, VAN DER et al

Atty. Ref.: 4662-84

Serial No. 10/554,293

TC/A.U.: Unassigned

Filed:

Examiner: Unassigned

For: PROCESS FOR THE PRODUCTION OF BIOLOGICAL SUBSTANCES  
BY PERFUSION CULTURING OF SUSPENDED ANIMAL CELLS

\* \* \* \* \*

January 12, 2006

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT**

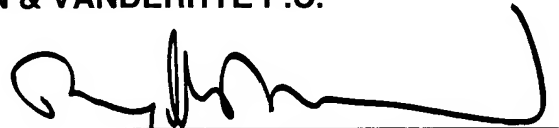
As suggested by 37 C.F.R. 1.97, the undersigned attorney brings to the attention of the Patent and Trademark Office the references listed on the attached form PTO/SB/08a, a copy of which each non-U.S. reference is enclosed. This is not to be construed as a representation that a search has been made or that no better prior art exists, or that a reference is relevant merely because cited. A copy of the International Search Report is also enclosed.

The Examiner is requested to initial the attached form PTO/SB/08a and to return a copy of the initialed document to the undersigned as an indication that the attached references have been considered and made of record.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By:



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Sheet 1 of 1

**INFORMATION DISCLOSURE  
CITATION**

ATTY. DOCKET NO.

4662-84

SERIAL NO.

10/554,293

APPLICANT

POL, VAN DER et al

(Use several sheets if necessary)

FILING DATE

TC/A.U.

Unassigned

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,372,943	12/13/1994	INLOW et al			
	5,378,612	01/03/1995	NAKASHIMA et al			

**FOREIGN PATENT DOCUMENTS**

DOCUMENT	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO

**OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)**

	International Search Report
	Laurent R.J. ESCLADE et al; "Influence of the Screen Material on the Fouling of Spin Filters"; Biotechnology and Bioengineering, Vol. 38, pp. 159-168 (1991)
	Michiyuki TOKASHIKI et al; "High density culture of hybridoma cells using a perfusion culture vessel with an external centrifuge"; Cytotechnology 3, pp. 239-244, 1990
	Kentaro SAKAI et al, "Use of Nonionic Surfactants for Effective Supply of Phosphatidic Acid in Serum-Free Culture of Chinese Hamster Ovary Cells", Journal of Bioscience and Bioengineering, Vol. 92, No. 3, pp. 256-261, 2001

\*Examiner

Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.